

## ORDINANCE NO. 496

**AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES APPROVING CASE NO. ZON2009-00053, A "CLEAN-UP" ZONE CHANGE FOR EAST TRACT 16540 – PORTUGUESE BEND CLUB TO MAINTAIN CONSISTENCY WITH THE CITY'S LOCAL COASTAL SPECIFIC PLAN AND TO CHANGE THE ZONING OF CERTAIN PORTIONS OF SPECIFIC PROPERTIES THAT ARE ZONED SINGLE-FAMILY RESIDENTIAL (RS-2) OR DUAL-ZONED SINGLE-FAMILY RESIDENTIAL (RS-2 AND RS-5) TO SINGLE-FAMILY RESIDENTIAL (RS-5) WITH NO CHANGES TO PORTIONS OF LOTS THAT ARE ZONED OPEN SPACE HAZARD (OH).**

WHEREAS, in 1957, Tract 16540 was recorded under the County of Los Angeles for a total of 42 legal lots, whereby 31 housing units were relocated from the land area affected by the Portuguese Bend Landslide to the new subdivision between 1958 and 1959 and the remaining 11 lots were developed with custom homes; and,

WHEREAS, in 1975, the City's first Zoning Map was adopted and the properties located within Tract 16540 were placed within two zoning districts, RS-2 and RS-5, whereby some properties were designated wholly RS-2 or RS-5 and some properties contained dual zoning with both RS-2 and RS-5; and,

WHEREAS, in 1975, the City's first Zoning Map was adopted and a number of properties along the south side of Maritime Road also included an Open Space Hazard (OH) zoning designation; and,

WHEREAS, in 1978, the City's Coastal Specific Plan was adopted, in compliance with the mandates established by the California Coast Act for establishing a Local Coastal Program within the City's Coastal Zone (all land seaward of Palos Verdes Drive West and Palos Verdes Drive South), and the City's Coastal Specific Plan established a total of eight (8) Subregions, whereby Tract 16540 is located within Subregion six (6); and,

WHEREAS, on March 3, 2009, the City Council approved a Director-initiated Zone Change Initiation Request (ZCAIR) to bring a Zone Change before the Planning Commission for review and preparation of a formal recommendation to the City Council regarding the Zone Change of Tract 16540; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et. seq., the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes has prepared an Initial Study and determined that there is no substantial evidence that approval of the Zone Change would result in a significant adverse effect on the environment, and therefore, a Negative Declaration has been prepared and notice of the fact was given in the manner required by law; and,

WHEREAS, after notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code, the Planning Commission held a duly noticed public hearing on May 12, 2009, at which time all interested parties were given an opportunity to be heard and present evidence; and,

WHEREAS, the Planning Commission approved P.C. Resolution No. 2009-20,

recommending that the City Council certify a Negative Declaration pursuant to the California Environmental Quality Act, and P.C. Resolution No. 200921 recommending that the City Council approve a Zone Change for East Tract 16540 in the Portuguese Bend Club to establish one consistent zoning designation within Tract 16540; and,

WHEREAS, after a notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code, the City Council opened up the public hearing on July 7 2009, at which time all interested parties were given an opportunity to be heard and present evidence and subsequently continued the proposed "clean-up" Zone Change to August 4, 2009 to allow time for the Planning Commission to consider a Lot Line Adjustment (LLA) appeal that involves one of the 42 properties subject to the "clean-up" Zone Change; and,

WHEREAS, on August 4, 2009, the City Council introduced Ordinance No. 496 for a "clean-up" Zone Change for East Tract 16540, Case No. ZON2009-00053 to be formally adopted via a second reading on August 18, 2009; and,

WHEREAS, on August 18, 2009, Ordinance No. 496 was formally adopted by the City Council, to go into full force and effect on September 17, 2009; and,

WHEREAS, due to insufficient posting of Ordinance No. 496, caused the need for Ordinance No. 496 to be re-introduced to the City Council on September 15, 2009 along with an Urgency Ordinance to cause the Ordinance to be in full force and effect immediately; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1:** The City Council has reviewed and considered the amendments to the Rancho Palos Verdes Zoning Map for the East Tract 16540 "clean-up" Zone Change.

**Section 2:** The City Council finds that the Zone Change for East Tract 16540 is consistent with California Government Code Section 65853, zoning amendment procedures.

**Section 3:** The proposed Zone Change is warranted since it is consistent with the City's Local Coastal Specific Plan, which states, "*...the 5 unit per acre density is in conformance with the existing pattern [of development] and induces new units under a pattern which is compatible with the intimate character established by past development*" (page S6-10, RPV Coastal Specific Plan). The change in zoning from RS-2 or dual residential zoning (RS-2 and RS-5) to RS-5 would be consistent with the exiting pattern of development, density and lot sizes found within East Tract 16540.

**Section 4:** For the foregoing reasons and based upon the information and findings included in the Staff Report, Initial Study and other records of these proceedings, the City Council of the City of Rancho Palos Verdes hereby approves the Zone Change, thereby rezoning the residential zoning on the properties or portions of the properties from wholly RS-2 or dual zoned RS2 and RS-5 (Single Family Residential) to wholly RS-5 (Single-Family Residential) so that all of the residential portions of the properties within East Tract 16540 (except the property located at 1494 Maritime Road) shall be in one uniform residential RS-5 Zone, as set forth in Exhibit "A" (which is attached hereto and incorporated herein by this reference).

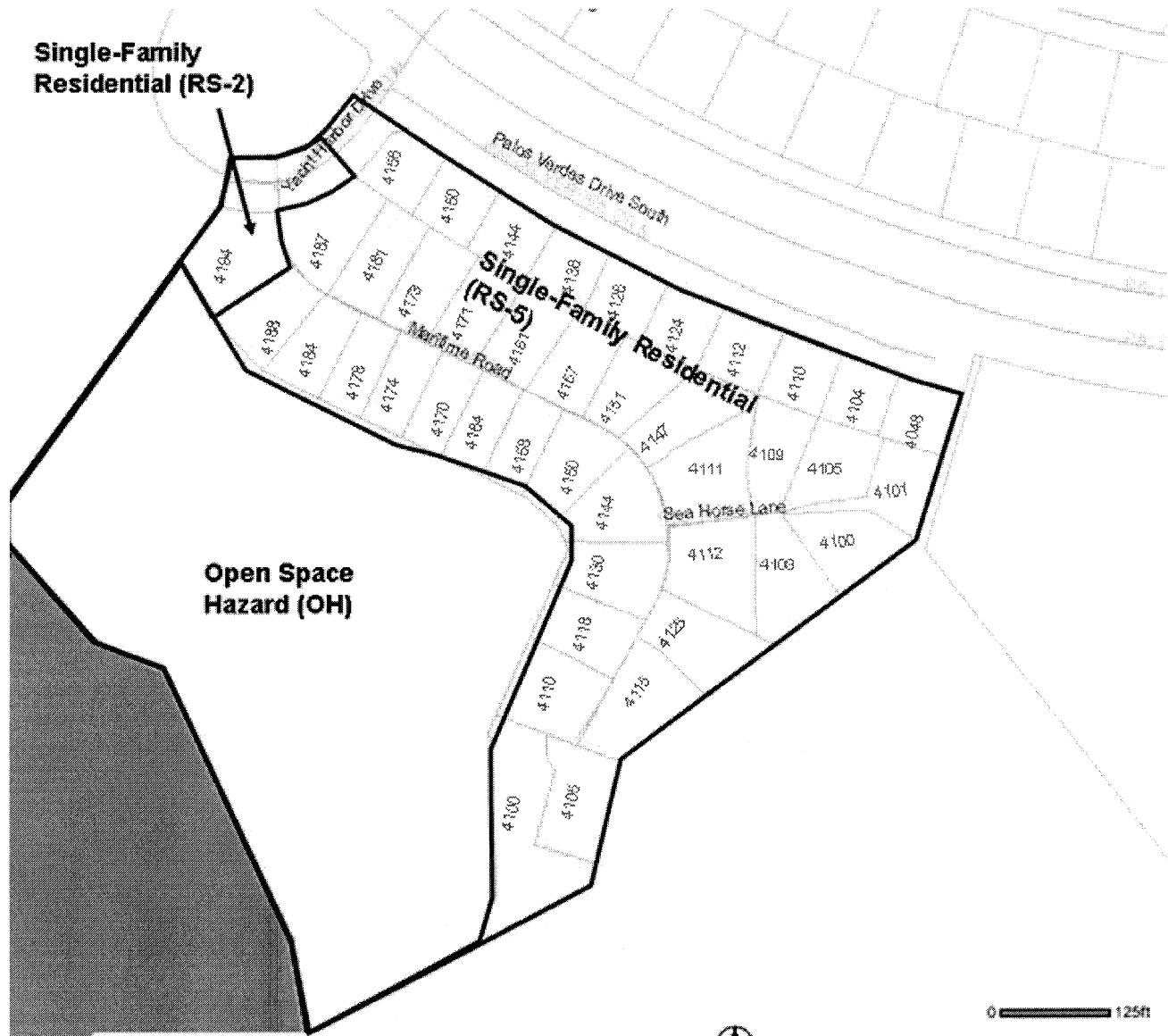
**Section 5:** The City Council finds that there is no substantial evidence that the Zone Change amendments to East Tract 16540 would result in new significant environmental effects. A Negative Declaration has been prepared and C.C. Resolution No. 2009-58 has been adopted,

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**EXHIBIT A**  
**Amended Zoning Map Designations**  
**E. Tract 16540 – Portuguese Bend Club**





# RANCHO PALOS VERDES

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            ) SS  
CITY OF RANCHO PALOS VERDES)

## AFFIDAVIT OF POSTING

The undersigned, being first duly sworn, deposes and says:

That at all times herein mentioned, she was and now is the appointed City Clerk  
of the City of Rancho Palos Verdes;

That on October 8, 2009, she caused to be posted the following document entitled: ORDINANCE NO. 496, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES APPROVING CASE NO. ZON2009-00053, A "CLEAN-UP" ZONE CHANGE FOR EAST TRACT 16540 – PORTUGUESE BEND CLUB TO MAINTAIN CONSISTENCY WITH THE CITY'S LOCAL COASTAL SPECIFIC PLAN AND TO CHANGE THE ZONING OF CERTAIN PORTIONS OF SPECIFIC PROPERTIES THAT ARE ZONED SINGLE-FAMILY RESIDENTIAL (RS-2) OR DUAL-ZONED SINGLE-FAMILY RESIDENTIAL (RS-2 AND RS-5) TO SINGLE-FAMILY RESIDENTIAL (RS-5) WITH NO CHANGES TO PORTIONS OF LOTS THAT ARE ZONED OPEN SPACE HAZARD (OH), a copy of which is attached hereto, in the following locations:

City Hall  
30940 Hawthorne Blvd.  
Rancho Palos Verdes

Ladera Linda Community Center  
32201 Forrestal Drive  
Rancho Palos Verdes

Hesse Park  
29301 Hawthorne Blvd.  
Rancho Palos Verdes

I certify under penalty of perjury that the foregoing is a true and correct affidavit of posting.

  
\_\_\_\_\_  
City Clerk